

REMARKS

The present amendments and remarks are in response to the Office Action dated December 15, 2005 wherein the Examiner rejected claims 39-52. By the present amendment, applicant has amended claims 39-43, 45, 46 and 50-52. Reconsideration and allowance of claims 39-52 in view of the amendments and the following remarks are respectfully requested.

A. Rejection of Claims Under 35 USC § 102

The Examiner has rejected independent claims 39 and 45, as being anticipated by U.S. Patent No. 6,449,476 to Hutchison ("Hutchison") under 35 USC §102(e). Applicant respectfully disagrees; however, to expedite the prosecution of this patent application, applicant has amended claim 39 to further specify updating a code section address table which stores a code section location reference for each of the at least two code sections and updating a symbol offset address table which stores an offset reference and a code section address table reference for each of the first, second and third symbol libraries. Claim 45 has been amended to specify analogous limitations.

Amended independent claims 39 and 45 are patentably distinguishable over the disclosure of Hutchison because the method claim is directed to, *inter alia*, using a patch manager runtime instruction (PMRTI) section that occupies a physical location on the wireless device (see original specification, pg. 9, lines 22-26). The PMRTI does not equate to the programmer (fig. 1, item 122)

specified in Hutchison, as the programmer does not physically occupy a space on the device.

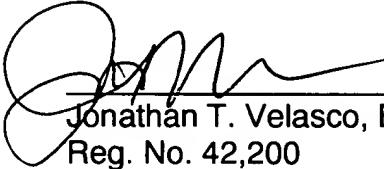
Moreover, Hutchison fails to disclose or suggest the additional limitations of a code section location reference for each of the at least two code sections and a symbol offset address table which stores an offset reference and a code section address table reference for each of the first, second and third symbol libraries, as specified by amended claims 39 and 45. Instead, Hutchison only describes a link table, which can “link entry points associated with the respective bundle” (col. 6, lines 14-15). The link table fails to be capable of storing a code section address table reference in conjunction with a reference to an offset address for any particular symbol library. Accordingly, applicant respectfully submits that independent claims 39 and 45, and their corresponding dependent claims 40-44 and 46-52 are allowable over the cited references of record, and should now be allowed.

B. **Conclusion**

For all the foregoing reasons, a Notice of Allowance directed to claims 39-52 pending in the present application is respectfully requested.

Respectfully Submitted;

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